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Washington, D.C.

Calendar No. 62

101ST CONGRESS
1st Session

SENATE

REPORT
101-27

ESTABLISHING SEPARATE APPROPRIATION ACCOUNTS FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES FOR THE PAYMENT OF OFFICIAL MAIL COSTS

MAY 17 (legislative day, JANUARY 3), 1989.—Ordered to be printed

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Mr. FORD, from the Committee on Rules and Administration, submitted the following

REPORT

[To accompany S.J. Res. 98]

The Committee on Rules and Administration, having considered S.J. Res. 98, a joint resolution to establish separate appropriation accounts for the Senate and the House of Representatives for the payment of official mail, reports favorably thereon, and recommends that the joint resolution do pass.

BACKGROUND AND PURPOSE

The purpose of this joint resolution is to establish greater responsibility and accountability with the use of the franking privilege by establishing separate official mail accounts for the House and the Senate and by requiring public disclosure by both bodies. Effective October 1, 1989, a lump sum appropriation to the legislative branch would be abolished, and separate appropriation accounts for official mail costs would be established within the contingent funds of the Senate and the House. The "Senate Official Mail Costs Account" and the "House Official Mail Costs Account" would be administered by the Secretary of the Senate and the Clerk of the House, respectively.

The Senate and House presently share a joint appropriation for official mail. The account is administered by the Clerk of the House on behalf of both bodies. The account is in essence an entitlement. The U.S. Postal Service submits to the Clerk of the House a statement of official mail costs on a quarterly basis. If the current appropriation balance is inadequate to cover these costs, they are paid from the next appropriation which becomes available immediately upon enactment into law, unless a supplemental appropriation is passed.

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House and Senate expenditures from fiscal year 1978 through the first half of fiscal year 1989 under the joint appropriation are as follows:

HOUSE AND SENATE EXPENDITURES FOR OFFICIAL MAIL, 1978–89

[Dollars in millions]

	Total	House		Senate	
		Amount	Percent	Amount	Percent
Fiscal year:					
1978	$48.9	$35.1	72	$13.8	28
1979	42.9	27.7	65	15.2	35
1980	61.9	43.4	70	18.5	30
1981	53.9	29.7	55	24.2	45
1982	100.0	59.9	60	40.1	40
1983	72.4	40.3	56	32.1	44
1984	111.0	67.3	61	43.6	39
1985	85.2	45.3	53	39.9	47
1986	95.9	60.4	63	35.5	37
1987	63.6	44.2	69	19.4	31
1988	113.4	77.9	69	35.5	31
1989 (6 months)	26.5	19.6	74	7.0	26

Recognizing the need to assure equal access to the official mail account by each house, the Committee on Rules and Administration on February 23, 1989, ordered favorably reported S. Res. 66, which contained a provision to permit Senators the same mailing privileges as Members of the House. The Senate approved this resolution on February 28, 1989.

In a further effort to establish responsibility and accountability in each house, S.J. Res. 98 was introduced on April 11, 1989, and referred to the Committee on Rules and Administration.

Provisions of the Joint Resolution

S.J. Res. 98 provides a framework for both the Senate and the House to adopt procedures that will ensure that expenses are kept within the confines of appropriations. The joint resolution contains the following provisions:

1. It creates separate appropriation accounts for official mail costs of the House and the Senate. The account for the House would be administered by the Clerk of the House, just like the joint account is now. The account for the Senate would be administered by the Secretary of the Senate. The resolution does not specify the amount to be appropriated for the accounts. Each house would be responsible for proposing in annual budgets and including in appropriation bills the amounts for its own operations.

2. It requires the House Commission on Congressional Mailing Standards and the Senate Committee on Rules and Administration to issue regulations governing the use of official mail by their respective bodies.

3. It specifies that such regulations shall include an allocation of the appropriation for each house among the members of that house—a method of ensuring that expenditures do not exceed appropriations.

4. It directs that if a Senator or a Representative spends in excess of his or her allocation, the difference must be made up from the Senator's or Representative's official office funds. Thus, no supplemental appropriations for postage will be necessary in the future.

5. Subject to the availability of appropriated funds, it includes the current limits on postal patron mail—six statewide mailings per year for each Senator and six district-wide mailings per year for each Representative, and retains the current exception of town meeting notices from counting against the limit of six.

6. It provides for the publication of the mass-mail costs of individual members in both chambers. Senators' costs will be published in the semi-annual report of the Secretary of the Senate; Representatives' costs will be published in the quarterly report of the Clerk of the House. The information to be published includes the Senator's or Representative's name, the number of pieces mailed, the total cost of the mail, and the per capita cost.

7. It makes a technical correction to title 39 of the United States Code by changing a reference to a singular "lump sum appropriation" for the House and the Senate into a plural reference to lump sum appropriations for the House and the Senate. This provision pertains to the establishment of separate accounts for the House and the Senate.

Cost Estimate

It is estimated that passage of S.J. Res. 98 would reduce the official mail costs of the House and the Senate.

Regulatory Impact Statement

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration does not consider that passage of S.J. Res. 98 would have any regulatory impact.

Changes in Existing Law

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes made by S.J. Res. 98, as reported by the Committee on Rules and Administration, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

Reimbursement for Franked Mailings

39 U.S.C. 3216

(a) The equivalent of—

(1) postage on, and fees and charges in connection with, mail matter sent through the mails—

(A) under the franking privilege (other than under section 3219 of this title), by the Vice President, Members of and Members-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, each of the

elected officers of the House of Representatives (other than a Member of the House), the Legislative Counsels of the House of Representatives and the Senate, the Law Revision Counsel of the House of Representatives, and the Senate Legal Counsel; and

(B) by the survivors of a Member of Congress under section 3218 of this title; and

(2) those portions of fees and charges to be paid for handling and delivery by the Postal Service of Mailgrams considered as franked mail under section 3219 of this title;

shall be paid [by a lump-sum appropriation to the legislative branch] *from funds appropriated to (or otherwise available from) the Senate (for costs attributable to the Senate) and from funds appropriated to (or otherwise available from) the House (for costs attributable to the House of Representatives)* for that purpose and then paid to the Postal Service as postal revenue. Except as to Mailgrams and except as provided by sections 733 and 907 of title 44, envelopes, wrappers, cards, or labels used to transmit franked mail shall bear, in the upper right-hand corner, the sender's signature, or a facsimile thereof.

COMMITTEE ROLLCALL VOTE

In compliance with paragraph 7 (b) and (c) of rule XXVI of the Standing Rules of the Senate, the record of the rollcall vote in the Committee on Rules and Administration during its consideration of S.J. Res. 98 to report favorably was as follows:

YEAS (11)	NAYS (0)
Mr. Ford	
Mr. Inouye	
Mr. DeConcini	
Mr. Dodd	
Mr. Adams	
Mr. Stevens	
Mr. Hatfield	
Mr. McClure	
Mr. Helms	
Mr. Garn	
Mr. McConnell	

Chairman Ford cast proxies for Senators Gore and Moynihan in support of the motion.

Senator Stevens cast a proxy for Senator Dole in support of the motion.

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